

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RONALD L. TSOSIE,

Plaintiff

v.

BUREAU OF PRISONS, *et al.*,

Defendants

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CIVIL NO. 3:CV-10-2360

(Judge Caputo)

O R D E R

AND NOW, this 27th day of **SEPTEMBER, 2012**, upon consideration of the Defendants' motion to dismiss pursuant to [Fed. R. Civ. P. 12\(b\)](#), and in accordance with the accompanying Memorandum, it is hereby **ORDERED** that:

1. The Defendants' Motion to Dismiss (Doc. 20) is **GRANTED**.
2. The claims against the Bureau of Prisons and the "Employees of the United States" are dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).
3. The United States is substituted as the sole Defendant in this action.
4. Mr. Tsosie's Federal Tort Claim Act claims are **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).
5. Mr. Tsosie's Indian Tucker Act claim is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).
6. The Clerk of Court is directed to **CLOSE** this case.

/s/ A. Richard Caputo
A. RICHARD CAPUTO
United States District Judge